

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

**FILED**

FEB 15 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ARNOLD ABRERA,

Plaintiff - Appellant,

v.

GAVIN NEWSOM, in his official  
capacity as Governor of the State of  
California; et al.,

Defendants - Appellees.

No. 22-16897

D.C. No. 2:22-cv-01162-JAM-DB  
U.S. District Court for Eastern  
California, Sacramento

**MANDATE**

The judgment of this Court, entered August 14, 2023, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule  
41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT

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Eastern District of California,  
Sacramento

ORDER

In light of the permanent injunction issued in *Miller v. Bonta*, No. 22-cv-1446, 2022 WL 17811114 (S.D. Cal. Dec. 19, 2022), the motion to dismiss the appeal as moot (Dkt. 39) is **GRANTED**. *See Akina v. Hawaii*, 835 F.3d 1003, 1010 (9th Cir. 2016) (“An interlocutory appeal of the denial of a preliminary injunction is moot when a court can no longer grant any effective relief sought in the injunction request.”); *cf. Enrico’s, Inc. v. Rice*, 730 F.2d 1250, 1254 (9th Cir. 1984) (dismissing appeal as moot where holding in appellant’s favor would have provided appellant “no relief beyond that already provided by” a decision of the California Court of Appeal).

FOR THE COURT:

MOLLY C. DWYER  
CLERK OF COURT